

## APPENDIX. RECORD OF INQUIRY

### RECORD OF HEARINGS

#### THE TRIBUNAL

The Tribunal constituted to hear claim Wai 64, concerning the Chatham Islands, comprised Chief Judge Eddie Durie (presiding), John Kneebone, Professor Gordon Orr, and Makarini Temara. However, Mr Temara passed away on 21 October 1994, before the hearings and the report were completed.

#### COUNSEL

Sian Elias QC and Maui Solomon appeared for the Te Iwi Moriori Trust Board (the Wai 64 claimants); James Johnston and Mike Antunovic for the Tchakat Henu Association of Rekohu Incorporated (the Wai 308 claimants); and RDryden for Benjamin Solomon (the Wai 417 claimant).

John Upton QC, Nick Davidson, and AHiddleston represented Te Runanga o Wharekauri Rekohu Incorporated (the Wai 65 claimants) at the first three hearings, and Sir Geoffrey Palmer, Mei Chen, Mike Webb, and Alex Palmer became their counsel thereafter. Charl Hirschfeld, Kathy Ertel, Rachel Steel, Leah Whiu, and D Booth appeared for Ngati Mutunga o Wharekauri Incorporated (the Wai 65 claimants).

Bruce Carran, PMarriot, and MBrown appeared for Makere Rangiatea Love and Ralph Heberley Love of Nga Iwi o Taranaki (the Wai 54 claimants); Eugenie Sage for the Royal Forest and Bird Society; and S Brown for Te Otane Reti and others of Te Whanganui-a-Orutu (the Wai 55 claimants). Briar Gordon and Helen Aikman appeared for the Crown.

#### THE FIRST HEARING

The inquiry opened at Waitangi Hall in the Chatham Islands on 9 May 1994. Submissions were received from John Aston, Lewis Ashton, Manaahi Cotter, Stella Cotter, Wilford Davis, Elaine Goomes, Margaret

Hamilton, Val Mete, Alfred Preece, Charlie Preece, Eileen Soanes, Charles Solomon, Gary Solomon, Julie Solomon, Tommy Solomon, and John Upton (11 May); and Pare Brown, Richard Clough, Denise Davis, Diane Fleming, Theresa-Anne Goomes, Keri Hamilton, Chantee Harvey, Jeffrey Harvey, Debbie King, Erin King, Iris Lanauze, John Preece, Patricia Preece, Riwai Preece, Nigel Ryan, Gary Soanes, Thomas Solomon, and Ann Thomas (12 May).

#### **THE SECOND HEARING**

The second hearing was held at Turnbull House in Wellington from 16 to 19 May 1994. Submissions were received from Bryan Gilling and Sian Elias (16 May); Laurie Clarkson, Linda Entwistle, Bryan Gilling, Shirley King, Apirana Mahuika, Nigel Ryan, Bronwyn Smith, Benji Solomon, Dennis Solomon, Christopher Tuanui, and Penny Tuanui (17 May); Mana Cracknell, Frank Harvey, Michael King, Reece Richards, Laurie Smylie, and Ihakai Tuanui (18 May); and Fiona Goomes, Charles Preece, Reece Richards, Marian Solomon, Maui Solomon, Patricia Solomon, Thomas Solomon, and Peter Tuanui (19 May).

#### **THE THIRD HEARING**

The third hearing was held at the District Court building in Wellington on 11 July 1994. Submissions were received from R Dryden, Grant Phillipson, Hugh Rennie, John Upton, and Tony Walzl.

#### **THE FOURTH HEARING**

The fourth hearing was held at the District Court building in Wellington on 3 August 1994. Submissions were received from Helen Aikman, Sian Elias, and John Upton.

**THE FIFTH HEARING**

The fifth hearing was held at the Waitangi Tribunal's offices in Wellington from 10 to 14 October 1994. Submissions were received from Eugenie Sage and Tony Walzl (10 October); Helen Aikman and Ashley Gould (11 October); John Bartle, Michael Cuddihy, Alan Munn, and Poma Palmer (12 October); Ashley Gould and Maika Mason (13 October); and DBooth, Ashley Gould, and Grant Phillipson (14 October).

**THE SIXTH HEARING**

The sixth hearing was held at the Waitangi Tribunal's offices in Wellington on 24 and 25 January 1995. Submissions were received from Richard Boast, Mana Cracknell, and Fergus Sinclair (24 January); and Helen Aikman, Mai Chen, and Sian Elias (25 January).

**THE SEVENTH HEARING**

The seventh hearing was held at Waiwhetu Marae in Lower Hutt from 20 to 24 February 1995. Submissions were received from Charl Hirschfeld, Hirini Mead, Sir Geoffrey Palmer, MPomare, Ihakara Puketapu, and Hamiora Raumati (20 February); Rewinia Murphy, Hugh Rennie, Erueni Tamati, Evelyn Tuuta, and Heni Tuuta (21 February); Judith Kamo, Eva Launauze, Ngawata Page, Charlie Preece, Cissie Preece, and Hazel Tuck (22 February); Tim Hunt, Eva Launauze, Mick Launauze, Albert Tuuta, and Evelyn Tuuta (23 February); and Waimaria Erueti, Lavinia Launauze, Trescia Lawson, Irene Sanson, Carlos Tuuta, Debbie Tuuta, and Evelyn Tuuta (24 February).

**THE EIGHTH HEARING**

The eighth hearing was held at the Waitangi Tribunal's offices in Wellington on 6 and 7 March 1995. Submissions were received from Jack Daymond, Kathy Ertel, George Goomes, Joan Hough, Teresa McDonald, Bernard Tamati, Rena Wairua, and Carolyn Whitiri (6 March); and Eric

Dix, Ada Hough, Gary Remi, Ehau Tamati, Joshua Thomas, and Suzanne Thomas (7 March).

#### **THE NINTH HEARING**

The ninth hearing was held at the District Court building in Wellington from 10 to 13 April 1995. Submissions were received from David Armstrong, Dean Cowie, and Don Loveridge (10 April); Richard Boast, Hariroa Daymond, and James Pohio (11 April); and Roy Hough and Tony Walzl (12 April).

#### **THE TENTH HEARING**

The tenth hearing was held at the District Court building in Wellington on 30 and 31 October 1995. Submissions were received from Evelyn Tuuta and Tony Walzl (30 October); and Gary Williams (31 October).

#### **THE ELEVENTH HEARING**

The eleventh hearing was held at the District Court building in Wellington on 14 November 1995. Submissions were received from Helen Aikman, Nick Davidson, Briar Gordon, and Fergus Sinclair.

#### **THE TWELFTH HEARING**

The twelfth hearing was held at the Student Union building of Victoria University in Wellington on 4 December 1995. Submissions were received from Sir Geoffrey Palmer and Maui Solomon.

#### **THE THIRTEENTH HEARING**

The thirteenth hearing was held at the District Court building in Wellington on 7 and 8 February 1996. Submissions were received from

Charl Hirschfeld, Fergus Sinclair, and Tony Walzl (7 February); and Kathy Ertel (8 February).

#### **THE FOURTEENTH HEARING**

The fourteenth hearing was held at the District Court building in Wellington from 14 to 15 March 1996. Submissions were received from Helen Aikman, Briar Gordon, Sir Geoffrey Palmer, and Tony Walzl (14 March); and Kathy Ertel (15 March).

#### **RECORD OF PROCEEDINGS**

##### **1. CLAIMS**

###### **1.1 Wai 54**

A claim by Makere Rangiatea Love and Ralph Heberley Love for Nga Iwi o Taranaki concerning fisheries, 23 December 1987

###### **1.2 Wai 64**

A claim by Maui Solomon for Te Iwi Moriori Trust Board concerning lands and fisheries, 13 February 1988

(a) Amendment to claim 1.2, 30 April 1991

(b) Amendment to claim 1.2, 9 October 1992

###### **1.3 Wai 65**

A claim by James Poiho for Ngati Mutunga o Wharekauri concerning lands and fisheries, 6 April 1988

(a) Amendment to claim 1.3, 4 July 1990

(b) Amendment to claim 1.3, 1 May 1991

(c) Amendment to claim 1.3, 24 September 1992

(d) Amendment to claim 1.3, 17 May 1995

(e) Amendment to claim 1.3, 30 October 1995

(f) Amendment to claim 1.3, 30 October 1995

**1.4 Wai 181**

A claim by Ngawata Page concerning the Kekerione block, 16 October 1990

**1.5 Wai 308**

A claim by Gary Solomon for Moriori Tchakat Henu Association concerning lands and fisheries, 4 September 1992

**1.6 Wai 417**

A claim by Benjamin Solomon concerning lands, 10 December 1993

**1.7 Wai 64**

A claim by Te Iwi Moriori Trust Board and Moriori Tchakat Henu Association concerning lands and fisheries, 23 December 1993

**1.8 Wai 460**

A claim by Albert Tuuta for Te Runanga o Wharekauri Rekohu Incorporated, representing Ngati Mutunga ki Wharekauri, 20 February 1995

(a) Amendment to claim 1.8, 18 May 1995

(b) Amendment to claim 1.8, 3 December 1995

**2. PAPERS IN PROCEEDINGS**

**2.0** Ngai Tahu notice of amendment to Wai 27 statement of claim, 25 June 1988

**2.1** Direction of deputy chairperson registering Wai 64, 29 May 1989

**2.2** Direction of chairperson concerning conference on Wai 54, 64, and 65, 14 June 1990

**2.3** Record of judicial conference concerning Wai 54, 64, and 65, 6 July 1990

**2.4** Memorandum advising of change of Wai 54 claimant counsel, 20 July 1990

(a) Direction of Tribunal commissioning research, 8 August 1990

- 2.5 Direction of chairperson registering Wai 181, 13 March 1991
- 2.6 Direction of Tribunal concerning conference on Wharekauri Station, 6 May 1991
- 2.7 Submission by Maui Solomon for Wai 64 claimants concerning sale of Wharekauri Station, no 1, 21 May 1991
- 2.8 Decision by Judge PJ Trapski concerning sale of Wharekauri Station, 21 May 1991
- 2.9 Letter to Tribunal from Maui Solomon on behalf of Wai 64 claimants requesting sale of Wharekauri Station by Crown be halted, 6 June 1991
- 2.10 Further letter to Tribunal from Maui Solomon on behalf of Wai 64 claimants requesting sale of Wharekauri Station by Crown be halted, 19 June 1991
- 2.11 Direction of chairperson registering Wai 308, 29 September 1992
- 2.12 Direction of chairperson amending Wai 64, 12 October 1992
- 2.13 Direction of chairperson releasing report by Britson Mikaere concerning Kekerione no 1, 12 July 1993
- 2.14 Letter to Tribunal from Wai 64 and 308 claimants requesting urgent hearing, 16 September 1993
- 2.15 Direction of acting chairperson for conference concerning Wai 64 and 308 urgent request for hearing, 30 September 1993
- 2.16 Direction of Tribunal releasing report by Britson Mikaere, 30 September 1993
- 2.17 Letter from Charlie Preece and Denis Solomon supporting Wai 64 and 308 claimants' request for urgency, 20 October 1993

**2.18** Synopsis of submissions concerning jurisdiction by Wai 65 claimant counsel, 12 November 1993

**2.19** Memorandum from Crown counsel to Tribunal concerning claimants' request for urgency and directions for the amalgamation of the Wai 64 and 308 claims, 12 November 1993

**2.20** Direction of chairperson concerning Wai 64 and 380 claimants' request for urgency, 19 November 1993

**2.21** Directions of the chairperson filing single claim in substitution of Wai 64 and 308 and for a further judicial conference, and notice of filing of report by Bryan Gilling, 10 February 1994

**2.22** Facsimile from secretary, Wharekauri Rekohu Claims Committee, concerning Wai 65 representation, 17 February 1994

**2.23** Direction of chairperson following conference, 22 February 1994

**2.24** Direction of chairperson concerning Wai 65 claimant counsel, 10 March 1994

**2.25** Memorandum from Wai 65 claimant counsel requesting clarification of issues arising from paper 2.23, 4 March 1994

**2.26** Letter from secretary, Wharekauri Rekohu Claims Committee, to Department of Justice concerning status of Wai 65, 15 March 1994

**2.27** Facsimile from Te Runanga o Wharekauri Rekohu Incorporated to Tribunal concerning status of Wai 65, 15 March 1994

**2.28** Letter from Wai 65 claimant counsel confirming representation of Te Runanga o Wharekauri Rekohu, 22 March 1994

**2.29** Memorandum from Wharekauri Rekohu Claims Committee to Tribunal giving notice of authorisation of James Pohio to represent matters relevant to Wai 65, 21 March 1994

- 2.30** Vacant
- 2.31** Notice of first and second hearings, 22 April 1994
- 2.32** Memorandum from registrar certifying that notice of first and second hearings given, 22 April 1994
- 2.33** Letter from secretary, Wharekauri Rekohu Claims Committee, concerning representation of Wai 65, 22 April 1994
- 2.34** Letter from secretary, Wharekauri Rekohu Claims Committee, responding to Wai 64 request for urgency, 22 April 1994
- 2.35** Wai 64, 308 claimant counsel on initial hearings, 28 April 1994
- 2.36** Letter from Wai 65 claimant counsel advising of request for judicial review and requesting adjournment of first hearing, 28 April 1994
- 2.37** Memorandum from Wai 64 and 308 claimant counsel in response to paper 2.36, 29 April 1994
- 2.38** Direction of chairperson releasing report by Grant Phillipson, 2 May 1994
- 2.39** Letter from Treaty of Waitangi Fisheries Commission concerning paper 2.23, 4 May 1994
- 2.40** Letter from Wai 54 claimant counsel confirming claim as watching brief only, 9 May 1994
- 2.41** Letter from Wai 65 claimant counsel concerning representation of Wai 65, 12 May 1994
- 2.42** Interim and final judgment of Justice Heron in the High Court concerning jurisdiction of Waitangi Tribunal, 9, 12 May 1994
- 2.43** Letter from Te Iwi Moriori Trust Board concerning instructing solicitor, 16 May 1994

- 2.44 Letter from Wai 64 and 308 claimant counsel concerning fifth hearing, 20 May 1994
- 2.45 Letter from Crown counsel in response to paper 2.44, 20 May 1994
- 2.46 Letter from Wai 417 claimant counsel requesting hearing, 23 May 1994
- 2.47 Memorandum from chairperson concerning clarification of Chatham Islands claims and various directions, 8 June 1994
- 2.48 Letter from chairperson, Te Moriori Tchakat Henu Association of Rekohu, to Minister in Charge of Treaty of Waitangi Negotiations concerning Kaingaroa Station, 9 June 1994
- 2.49 Letter from Crown Law Office to Maori Land Court concerning Te Whaanga, 20 June 1994
- 2.50 Letter from Crown Law Office concerning issues arising from hearings and seeking urgent judicial conference, 21 June 1994
- 2.51 Memorandum from Tribunal concerning third, fourth, and fifth hearings, 28 June 1994
- 2.52 Letter from Wai 65 claimant counsel requesting judicial conference, 1 July 1994
- 2.53 Notice of third hearing, 28 June 1994
- 2.54 Declaration of registrar that notice of third hearing given, 29 June 1994
- 2.55 Vacant
- 2.56 Vacant
- 2.57 Vacant

- 2.58** Memorandum from Tribunal recording decisions on matters discussed at conference with counsel on 11 July 1994, 22 July 1994
- 2.59** Memorandum from Wai 64 and 308 claimant counsel concerning jurisdictional issues, 22 July 1994
- 2.60** Notice of fourth hearing, 25 July 1994
- 2.61** Memorandum from registrar certifying that notice of fourth hearing given, 25 July 1994
- 2.62** Vacant
- 2.63** Letter from NDavidson giving notice of change of representation of Te Runanga o Wharekauri Rekohu Incorporated, 20 September 1994
- 2.64** Notice of fifth hearing, 19 September 1994
- 2.65** Memorandum from registrar certifying that notice of fifth hearing given, 19 September 1994
- 2.66** Memorandum from Wai 65 claimant counsel concerning ownership of Wai 65 with affidavit of Robert Preece in support of memorandum for directions, 27 September 1994
- 2.67** Memorandum from Tribunal concerning jurisdiction in regards to Native Land Court, 5 October 1994
- 2.68** Memorandum from Wai 65 claimant counsel with affidavits of James Pohio and Suzanne Thomas filed in response to paper 2.66, 14 October 1994
- 2.69** Memorandum from counsel for Te Runanga o Wharekauri Rekohu Incorporated responding to paper 2.68, 21 October 1994
- 2.70** Further documents from counsel for Te Runanga o Wharekauri Rekohu Incorporated in support of paper 2.69, 27 October 1994

**2.71** Memorandum from Tribunal to counsel concerning decisions on certain matters raised at conclusion of fifth hearing and proposed timetable for sixth hearing, 31 October 1994

**2.72** Memorandum from Te Runanga o Wharekauri Rekohu Incorporated notifying change of counsel, 22 November 1994

**2.73** Notice of sixth hearing, 5 December 1994  
Memorandum from registrar certifying that notice of sixth hearing given, 9 December 1994

**2.74** Direction of chairperson releasing report of Bryan Gilling, 20 December 1994

**2.75** Memorandum from chairperson following sixth hearing, 27 January 1995

**2.76** Memorandum from Wai 65 claimant counsel concerning hearing venue, 25 January 1995

**2.77** Memorandum from chairperson concerning hearing venue, 8 February 1995

**2.78** Notice of seventh hearing, 8 February 1995  
Memorandum from registrar certifying that notice of seventh hearing given, 13 February 1995

**2.79** Direction of chairperson releasing report of Tony Walzl, 17 February 1995

**2.80** Notice of eighth hearing, 23 February 1995  
Memorandum from registrar certifying that notice of eighth hearing given, 27 February 1995

**2.81** Direction of chairperson releasing report of Tony Walzl, 3 March 1995

- 2.82** Memorandum from Crown counsel concerning jurisdiction of Tribunal to make recommendations on commercial fishing operations in the Chathams, 9 March 1995
- 2.83** Memorandum from chairperson to counsel following seventh and eighth hearings and proposed timetable for ninth hearing, 10 March 1995
- 2.84** Memorandum from Wai 460 claimant counsel responding to paper 2.82, 17 March 1995
- 2.85** Notice of ninth hearing, 20 March 1995  
Memorandum from registrar certifying that notice of ninth hearing given, 24 March 1995
- 2.86** Direction of deputy chairperson releasing report of Dean Cowie, 27 March 1995
- 2.87** Memorandum from Wai 460 claimant counsel concerning meaning of 'peoples' in international law as regards right to self determination, 27 March 1995
- 2.88** Memorandum from chairperson to Doug Sutton requesting further information concerning his report, 5 April 1995
- 2.89** Memorandum from Ngai Tahu Maori Trust Board concerning claim of Te Runanga o Wharekauri Rekohu Incorporated to Auckland Islands, 10 May 1995
- 2.90** Facsimile from Wai 460 claimant counsel concerning proposed hearing timetable, 16 May 1995  
Letter to Crown counsel concerning amendment to Wai 460 statement of claim, 16 May 1995
- 2.91** Memorandum from registrar certifying that notice of tenth hearing given, 18 May 1995

**2.92** Notice of tenth hearing

Memorandum from registrar certifying that notice of tenth hearing given, 11 July 1995

**(a)** Amendment to notice of tenth hearing

**2.93** Memorandum from Crown counsel concerning jurisdiction over Auckland Islands, 25 July 1995

**2.94** Letter from Ngai Tahu Maori Trust Board in response to paper 2.93, 30 July 1995

**2.95** Paper renumbered document K13

**2.96** Direction of Tribunal adjourning tenth hearing, 10 August 1995

**2.97** Direction of chairperson releasing report of Grant Phillipson, 18 August 1995

**2.98** Directions of Tribunal amending timetable for filing submissions and replying to Moriori submissions, 18 August 1995

**2.99** Letter from counsel for Te Runanga o Ngai Tahu Limited concerning Wai 460, 30 August 1995

**2.100** Directions of chairperson releasing report of Tony Walzl, 21 September 1995

**2.101** Notice of tenth hearing

Memorandum from registrar certifying that notice of tenth hearing given, 2 October 1995

**2.102** Memorandum from Crown counsel concerning timetabling, Te Whaanga, and other issues, 29 September 1995

**2.103** Letter from Wai 460 claimant counsel concerning timetabling, 9 October 1995

**2.104** Facsimile from counsel for Te Runanga o Ngai Tahu Limited concerning filing of statement of claim, 18 October 1995

**2.105** Memorandum from Wai 64 claimant counsel responding to paper 2.102, 30 October 1995

**2.106** Transcript of 26 October 1995 meeting of representatives of Te Runanga o Wharekauri Rekohu and Ngai Tahu Maori Trust Board  
Letter from Te Runanga o Wharekauri Rekohu Incorporated to Te Runanga o Ngai Tahu concerning Auckland Islands, 3 October 1995  
Letter from Te Wero Consultants to Ngati Mutunga o Wharekauri concerning Auckland Islands, 21 October 1995  
Letter from Ngati Mutunga o Wharekauri to James Pohio concerning Auckland Islands, 20 October 1995  
Letter from Ngati Mutunga o Wharekauri to Ngai Tahu Maori Trust Board concerning Auckland Islands, 23 October 1995.

**2.107** Memorandum from chairperson following tenth hearing, 1 November 1995

**2.108** Notice of eleventh hearing  
Memorandum from registrar certifying that notice of eleventh hearing given, 2 November 1995

**2.109** Memorandum from Wai 65 claimant counsel, 16 November 1995

**2.110** Notice of twelfth hearing  
Memorandum from registrar certifying that notice of twelfth hearing given, 16 November 1995

**2.111** Application of Wai 65 claimant counsel for leave to delay closing on Wai 65 claim, 27 November 1995

**2.112** Facsimile from Wai 460 claimant counsel responding to paper 2.111, 27 November 1995

**2.113** Directions of chairperson amending Wai 65, 8 December 1995

- 2.114** Notice of thirteenth hearing, 15 January 1996  
Memorandum from registrar certifying that notice of thirteenth hearing given, 23 January 1996
- 2.115** Notice of fourteenth hearing, 22 February 1996  
Memorandum from registrar certifying that notice of fourteenth hearing given, 1 March 1996
- 2.116** Directions of chairperson concerning withdrawal by Wai 460 claimants of Auckland Islands aspect of claim, 5 March 1996
- 2.117** Directions of chairperson concerning fourteenth hearing, 5 March 1996
- 2.118** Memorandum from Crown counsel concerning March 1995 visit by New Zealand Conservation Authority to Chatham Islands, 15 March 1996  
Letter from Department of Conservation to Crown counsel, 7 March 1996
- 2.119** Memorandum from Crown counsel concerning representation issues, 3 May 1996
- 2.120** Letter from Moriori Tchakat Henu Association of Rekohu Trust responding to Crown submissions concerning Te Whaanga, 20 May 1996

### **3. RESEARCH COMMISSIONS**

- 3.1** Direction of Tribunal commissioning Paul Harman to prepare report on historical and Treaty-related issues in Wai 54, Wai 64, and Wai 65, 8 August 1990
- 3.2** Direction of chairperson commissioning Britson Mikaere to complete research report begun by Paul Harman, 13 February 1992
- 3.3** Direction of chairperson commissioning Grant Phillipson to prepare report on matters concerning Chatham Islands claim, 14 April 1994

- 3.4 Direction of chairperson commissioning Dean Cowie to assist Grant Phillipson in preparation of research reports concerning Chatham Island claims, 14 April 1994
- 3.5 Direction of chairperson commissioning Tony Walzl to prepare report on matters concerning Chatham Islands claim, 27 May 1994
- 3.6 Direction of chairperson commissioning Grant Phillipson to prepare report on matters arising from May 1994 hearing, 27 June 1994
- 3.7 Direction of chairperson commissioning Dean Cowie to prepare report on Keckerione claim, 2 July 1994
- 3.8 Direction of chairperson commissioning Bryan Gilling to prepare report on nineteenth-century Native Land Court judges, 18 November 1994
- 3.9 Direction of chairperson commissioning Grant Phillipson to prepare report on Native Land Court '10-owner rule', 13 April 1995
- 3.10 Direction of chairperson commissioning Tony Walzl to prepare report on actions of Native Land Court in Chatham Islands and Keckerione block, 18 May 1995

#### **4. SUMMATION OF PROCEEDINGS**

- 4.1 Minutes of conference concerning timetable for remainder of inquiry, Wellington, 26 May 1995

#### **5. TRANSCRIPTS AND TRANSLATIONS**

- 5.1 Crown Law Office transcript of 16–19 May 1994 cross-examination of Bryan Gilling, Micheal King, Rhys Richards, and Denis Solomon
- 5.2 Crown Law Office transcript of Crown cross-examination of Grant Phillipson, 11 July 1994

5.3 Transcript of submission of Chief Judge Eddie Durie on meaning of 'mana whenua', 13 October 1994

5.4 Transcript of 11 October 1994 cross-examination of John Bartle, Micheal Cuddihy, Allan Munn, Poma Palmer, and Chris Robertson

5.5 Crown Law Office transcript of October 1994 cross-examination of Maika Mason, December 1994

5.6 Transcript of cross-examination of Hugh Rennie, 21 February 1995

5.7 Transcript of cross-examination of Suzanne Thomas, 7 March 1995

5.8 Transcripts of cross-examination of David Armstrong, Richard Boast, Dean Cowie, Harirora Daymond, Donald Loveridge, James Pohio, and Tony Walzl, 10–12 April 1995

5.9 Transcript of cross-examination of Evelyn Tuuta

## RECORD OF DOCUMENTS

\* Document confidential and available to the public only with a Tribunal order

† Document held in Waitangi Tribunal library, Waitangi Tribunal offices, third floor, 110 Featherston Street, Wellington

## A DOCUMENTS RECEIVED PRIOR TO FIRST HEARING

A1 Department of Internal Affairs, report to Minister of Internal Affairs following consultative visit to Chatham Islands, 12–16 October 1989, 6 December 1989

A2 Landcorp Realty Ltd, 'Particulars and Terms and Conditions for Sale by Tender of Wharekauri Station, Chatham Islands', 29 April 1991

A3 Landcorp, 'Land Corporation Limited Statement of Corporate Intent for Financial Year Ending 30 June 1991', September 1990

**A4** Media release from office of Minister of Transport concerning Government decisions on disposal of Ministry of Transport aerodromes, 29 October 1991

**A5** Douglas G Sutton, 'The Whence of the Moriori', *The New Zealand Journal of History*, vol 19, no 1, April 1985

**A6** 'The Myth of the Moriori', Project Waitangi, resource kit prepared by the Waitangi Tribunal, pt2

**A7** Britson Mikaere, 'Kekerione No1 (subdivision No62)', report commissioned by the Waitangi Tribunal, 22 June 1993

(a) Supporting documents to document A7

(b) Letter from Ngawata Page in response to document A7

**A8** Britson Mikaere and Janine Ford, 'A Preliminary Report to the Waitangi Tribunal on the Claims Relating to the Chatham Islands, Lodged Under Section 6 of the Treaty of Waitangi Act and Registered as Wai 54, Wai 64, and Wai 65', report commissioned by the Waitangi Tribunal, 8 August 1990

**A9** Bryan D Gilling, 'By whose Custom? The Operation of the Native Land Court in the Chatham Islands', *Victoria University of Wellington Law Review*, vol 23, no 3, October 1993

**A10** Bryan Gilling, 'The Native Land Court in the Chatham Islands', report commissioned by Te Iwi Moriori Trust Board, September 1993

**A11** Preliminary comments of Wai 64 and 308 claimant counsel in response to document A8 including response to paper 2.20, 1 February 1994

**A12** Response of Wai 65 claimant counsel to document A8, 3 February 1994

**A13** AM and TK Consultants, 'Raupatu', report commissioned by Te Moriori Tribe of the Chatham Islands, January 1994

**A14** Bryan Gilling, “‘The Queen’s Sovereignty Must be Vindicated’: The Development and Use of the 1840 Rule in the Native Land Court”, report commissioned by Te Iwi Moriori Trust Board, March 1994

**A15** Response of Wai 65 claimant counsel to document A8, 21 March 1994

**A16** Grant Phillipson, ‘Report to the Waitangi Tribunal on Matters of Relevance to the Chatham Islands Claims Wai 64, Including the Intervention of the Government in the Affairs of the Maori Land Court’, report commissioned by the Waitangi Tribunal, 14 April 1994

(a) Supporting documents to document A16

#### **B DOCUMENTS RECEIVED PRIOR TO END OF FIRST HEARING**

**B1** 1862 petition and supporting documents

**B2** Statement of Wai 64 claimant counsel seeking leave to withdraw from hearings, 9 May 1994

**B3** Application by Wai 64 claimant counsel to High Court for interim order, 6 May 1994

**B4** Submission of Stella Cotter for Wai 64 and 308, 10 May 1994

**B5** Submission of Charles Horomona for Wai 64 and 308, 3 May 1994

**B6** Submission of Charles Solomon for Wai 64 and 308, 11 May 1994

**B7** Submission of Wilford Davis for Wai 64 and 308, 18 April 1994

**B8** Submission of Eileen Soanes for Wai 64 and 308, 11 May 1994

**B9** Submission of Lewis Ashton for Wai 64 and 308, 11 May 1994

**B10** Submission of Thomas Solomon for Wai 64 and 308, undated

**B11** Submission of Charlie Preece for Wai 64 and 308, 11 May 1994

- B12** Submission of Alfred Preece for Wai 64 and 308, 3 May 1994
- B13** Submission of Alfred Preece junior for Wai 64 and 308, 3 May 1994
- B14** Submission of Gary Solomon for Wai 64 and 308, 22 April 1994  
(a) Rules of Society for Moriori Tchakat Henu Association of Rekohu Incorporated
- B15** Submission of Manaahi Cotter for Wai 64 and 308, 11 May 1994
- B16** Submission of Val Mete for Wai 64 and 308, 11 May 1994
- B17** Submission of Julie Solomon for Wai 64 and 308, undated
- B18** Submission of Margaret Hamilton for Wai 64 and 308, 11 May 1994
- B19** Submission of John Ashton for Wai 64 and 308, 11 May 1994
- B20** Submission of Elaine Goomes for Wai 64 and 308, 11 May 1994
- B21** Submission of Nigel Ryan for Wai 64 and 308, 11 May 1994
- B22** Submission of Pare Brown for Wai 64 and 308, 11 May 1994
- B23** Submission of Iris Lanauze for Wai 64 and 308, 11 May 1994
- B24** Submission of Jeffrey Harvey for Wai 64 and 308, 11 May 1994
- B25** Submission of Gary Soanes for Wai 64 and 308, 11 May 1994
- B26** Submission of Debbie King for Wai 64 and 308, 12 May 1994
- B27** Submission of Riwai Preece for Wai 64 and 308, undated
- B28** Submission of Erin King for Wai 64 and 308, May 1994
- B29** Submission of Chantee Harvey for Wai 64 and 308, 12 May 1994

- B30** Submission of Keri Hamilton for Wai 64 and 308, May 1994
- B31** Submission of Thomas Solomon junior for Wai 64 and 308, 12 May 1994
- B32** Submission of Teresa Goomes for Wai 64 and 308, undated
- B33** Submission of Patricia Preece for Wai 64 and 308, 12 May 1994
- B34** Submission of Ann Thomas for Wai 64 and 308, 12 May 1994
- B35** Submission of John Preece for Wai 64 and 308, 12 May 1994
- B36** Submission of Diane Flemming for Wai 64 and 308, 12 May 1994
- B37** Submission of Denise Davis for Wai 64 and 308, 12 May 1994
- B38** Submission of Richard Clough for Wai 64 and 308, 12 May 1994
- B39** Letter from Ngawata Page in response to document A7, 29 July 1993

**C DOCUMENTS RECEIVED PRIOR TO END OF SECOND HEARING**

- C1** Outline of opening submissions by Wai 64 claimant counsel, including affidavit of Mynetta Erueti and letter from Wai 65 claimant counsel to Te Iwi Moriori Trust Board concerning decision to proceed with claim
- C2** Colonel Thomas Gore Browne, *The Laws of England*, Auckland, 1858
- C3** Moriori document bank
- C4** Bryan Gilling, supplement to document A10, 1994
- C5** Bryan Gilling, summary of documents A10, A14, C4

**c6** Grant Phillipson and Janine Ford, 'Answers to Questions Contained in Tribunal Memorandum of 19 November 1993', May 1994

(a) Supporting documents to document c6, June 1994

**c7** Submission of Denis Solomon for Wai 64 and 308, 17 May 1994

(a) Submissions to Ministry of Agriculture and Fisheries on behalf of Wai 64 and 308 claimants, 28 February 1994

**c8** Submission of Linda Entwistle for Wai 64 and 308, 17 May 1994

**c9** Submission of Penny Tuanui for Wai 64 and 308, 17 May 1994

**c10** Submission of Christopher Tuanui for Wai 64 and 308, 17 May 1994

**c11** Supporting document to document B21

**c12** Submission of Benjamin Solomon for Wai 417, undated

**c13**† Michael King, *Moriori: A People Rediscovered*, Auckland, Viking, 1989

**c14** Curriculum vitae of Michael King

(a) Submission of Michael King concerning extracts of document c13 particularly relevant to Wai 64 and 308, and other evidence

**c15** 'How the Maoris Came to New Zealand', *School Journal*, March 1916

**c16** Submission of Rhys Richards for Wai 64 and 308 concerning separateness of Moriori and Maori, 16 May 1994

Rhys Richards, 'A Tentative Population Distribution Map of the Morioris of Chatham Island, circa 1790', *Journal of the Polynesian Society*, vol 81, no3, September 1972

(a) Supporting document to document c16, 16 May 1994

**c17**† Map of Chathams Islands

**c18** Submission of Ihakai Tuanui for Wai 64 and 308, 18 May 1994

- c19** Submission of Laurie Smylie for Wai 64 and 308, undated
- c20** Submission of Frank Harvey for Wai 64 and 308, 18 May 1994
- c21\*** Submission of Mana Cracknell for Wai 64 and 308, May 1994
- c22** Submission of Fiona Goomes for Wai 64 and 308, 18 May 1994
- c23** Submission of Patricia Solomon for Wai 64 and 308, 17 May 1994
- c24** Submission of Marion Solomon for Wai 64 and 308, 19 May 1994
- c25** Submission of Maui Solomon for Wai 64 and 308, 18 May 1994
- c26** Maui Solomon, 'Chronology and Synopsis of Moriori Events: 1979–94', submission on behalf of Wai 64 and 308, 18 May 1994  
Supporting documents to document c26
- c27** Submission of Peter Tuanui for Wai 64 and 308, 19 May 1994
- c28** Letter from SBarker in support of the Wai 64 claim, 29 April 1994
- c29** Department of Conservation, *Conservation Management on the Chatham Islands: Issues and Options*, Christchurch, Department of Conservation, 1993
- c30** Rhys Richards, 'Plans for a German Colony on the Chatham Islands', in *The German Connection: New Zealand and German-Speaking Europe in the Nineteenth Century*, James N Bade (ed), Auckland, Oxford University Press, 1993
- c31** Maps of Chatham Islands, 1868, 1883
- c32** Memorandum from Wai 64 claimant counsel concerning slavery, 13 June 1994  
Supporting documents to document c32

**c33** Application by James Pohio to Chatham Islands Maori Land Court concerning Te Whaanga, 12 April 1994

**c34** Opening submission of Wai 417 claimant counsel

**c35** Crown document bank

**c36** Letter to Christchurch Maori Land Court from chief judge requesting copies of applications to Maori Land Court concerning Chatham Islands, 3 June 1994

Application 16153 to Picton Maori Land Court by Benjamin Solomon for determination of original grantees of Chatham Islands, 11 February 1994

Decision of Judge Spencer, 26 May 1994

Minutes of sitting of court in Chatham Islands, 1870

**c37** Submission of Tony Walzl concerning document c14

**c38** Grant Phillipson, 'Further Documents on Slavery of Relevance to Chatham Islands Claims'

(a) Typescript copies of handwritten documents contained in document c38

**c39** Chatham Islands Review Team, 'Chatham Islands Review Team Report', report to Minister of Internal Affairs by Department of Internal Affairs, Wellington, April 1986

**c40** Taylor, Baines, and Lincoln International, 'Review of the Chatham Islands Economy: Final Report', report commissioned by Department of Internal Affairs on behalf of the Ministerial Committee on the Chatham Islands, September 1989

**c41** Copy of document c40

**c42** CJRRobertson, *Questions on the Harvesting of Toroa in the Chathams Islands*, Wellington, Department of Conservation, 1991

**C43** Documents detailing payments to Te Runanga o Wharekauri by Iwi Transition Agency and lottery funds granted to Chatham Islands organisations by New Zealand Lottery Grants Board

**D DOCUMENTS RECEIVED PRIOR TO END OF THIRD HEARING**

**D1** Hugh Rennie concerning Chatham Islands Enterprise Trust  
(a) Report of Chatham Islands Enterprise Trust, 1992

**E DOCUMENTS RECEIVED PRIOR TO END OF FOURTH HEARING**

**E1** Submission of Wai 64 claimant counsel on jurisdiction concerning Native Land Court

- (a) Treaty of Waitangi Bill, NZPD, 1974
- (b) Treaty of Waitangi Amendment Bill, NZPD, 1994, pt 1
- (c) Treaty of Waitangi Amendment Bill, NZPD, 1984, pt 2
- (d) Treaty of Waitangi Bill, NZPD, 1975
- (e) Hogg, *Liability of the Crown*, 2nd ed, 1989, extracts
- (f) Maitland, *The Constitutional History of England*, 1911, extracts

**E2** Submission of Crown counsel concerning jurisdiction

**E3** Submission of B Solomon, 3 August 1994

**F DOCUMENTS RECEIVED PRIOR TO END OF FIFTH HEARING**

**F1** Department of Survey and Land Information, title particulars on Kekerione 62

**F2** Submission of B Solomon, 3 September 1994

**F3** A Gould, historical report concerning slavery

- (a) Supplement to document F3
- (b) Maori text of 'The Law for Maori Lands', 30 October 1865

- F4** Crown document bank  
(a) A Gould, typescript of documents, 19 October 1994
- F5** G Phillipson, 'Report on Tribunal Queries', September 1994  
(a) Summary of above with oral interpolations
- F6** Submission of MJ Cuddihy for Department of Conservation  
(a) Supporting documents to document F6
- F7** Submission of A K Munn for Department of Conservation  
(a) Supporting documents to document F7
- F8** Submission of P D Palmer for Department of Conservation  
(a) Supporting documents to document F8
- F9** Submission of M Mason for Department of Conservation  
(a) Supporting documents document F9
- F10** Submission of J A Bartle concerning harvesting of toroa
- F11** Conservation Authority, 'Maori Customary Use Of Native Birds, Plants And Other Traditional Materials', May 1994
- F12** Submission of T Walzl concerning Moriori evidence  
(a) Summary of document F12
- F13** Submission of Royal Forest and Bird Protection Society of New Zealand  
(a) Supporting documents to document F12
- F14** Submission of B Solomon, 10 October 1994
- F15** Opening submissions of Crown counsel, 11 October 1994  
(a) Extract from Foden on New Zealand as New South Wales dependency  
(b) Te Puni Kokiri, map showing Moriori, 1994
- F16** Wall maps of Crown holdings on Chathams

**F17** Correspondence between runanga and Department of Conservation, 6 October 1994

**F18** G Phillipson, AJHR extracts on mana whenua

**F19** Opening submission of D Booth, 14 October 1994

**G DOCUMENTS RECEIVED PRIOR TO END OF SIXTH HEARING**

**G1** Moriori submission to Department of Conservation on *Draft Conservation Management Strategy*, September 1994

**G2** 'Ko Nga Ture o Ingarani', 19 October 1994

**G3** D Sutton, 'Moriori in Chatham Islands'

**G4** Documents concerning Moriori marae

**G5** Bryan Gilling, Nineteenth century Native Land Court judges, Dec 1994

**G6** A Gould, historical evidence, Jan 1995

**G7** Submission of B Solomon, 31 December 1994

**G8** Richard Boast, comments on Wai 64 evidence, Jan 1995

**G9** Cracknell and Solomon on Moriori custom, Jan 1995

**G10** Memorandum to Department of Conservation concerning wahi tapu, 18 January 1995

**G11** Fergus Sinclair on the '1840 rule', 18 January 1995

**G12** Submission of B Solomon, 24 January 1995

**G13** Submission of Wai 65 claimant counsel concerning mana whenua, 25 January 1995

**G14** Interim closing submission of Wai 64 claimant counsel, 25 January 1995

(a) 'Story of Te Waharoa', 1906 (extract)

**G15** Closing submission of Crown counsel on aspects of Moriori claim, 25 January 1995

(a) Supporting documents to document G15

#### **H DOCUMENTS RECEIVED PRIOR TO END OF SEVENTH HEARING**

**H1** Tony Walzl, Crown administration of Chathams, 16 February 1995

(a) Supporting documents to document H1, Internal Affairs files

(b) Supporting documents to document H1, Internal Affairs files

(c) Supporting documents to document H1, Internal Affairs files

(d) Supporting documents to document H1, Internal Affairs files

(e) Summary of document H1

**H2** HM Mead, mana whenua and raupatu, 16 February 1995

**H3** MPomare, history of Ngati Mutunga, 16 February 1995

**H4** Opening submission of Wai 65 claimant counsel, 20 February 1995

(a) Supporting documents to document H4

**H5** Charl Hirschfeld, position of Ngati Mutunga, 20 February 1995

**H6** Submission of I Puketapu, 20 February 1995

**H7** Whakapapa from T Raumati

(a) Whakapapa list from E Tuuta

**H8** Submission of E Tamati, 21 February 1995

**H9** Submission of H Tuuta, 21 February 1995

**H10** Submission of Hugh Rennie, 21 February 1995

(a) *New Zealand Gazette*, February 1861

(b) *New Zealand Gazette*, July 1865

**H11** Submission of Charles Preece, 22 February 1995

**H12** Submission of Cissy Preece, 22 February 1995

**H13** Submission of Ngawata Page, 22 February 1995

**H14** Submission of JKamo, 22 February 1995

**H15** Submission of HTuck, 22 February 1995

**H16** Submission of ELaunauze, 22 February 1995

**H17** Submission of TGHunt, 22 February 1995

**H18** Submission of MLaunauze, 22 February 1995

**H19** Submission of ATuuta, 23 February 1995

**H20** Submission of ETuuta, 23 February 1994

**H21** Submission of CTuuta, 24 February 1995

**H22** Submission of DTuuta, 24 February 1995

**H23** Submission of LLaunauze, 24 February 1995

**H24** Submission of W Erueti, 24 February 1995

**H25** Submission of ISanson, 24 February 1995

**H26** Submission of TLawson, 24 February 1995

**H27** Submission of RPreece, 24 February 1995

**I DOCUMENTS RECEIVED PRIOR TO END OF EIGHTH HEARING**

**I1** Tony Walzl, 'Maori Land Court and the 10-Owner Rule', 3 March 1995  
(a) Summary of document I1

**I2** Opening submission of Wai 65 claimant counsel, 6 March 1995

**I3** Submission of T McDonald, 6 March 1995

**I4** Submission of J Hough, 6 March 1995

**I5** Submission of R Wairua, 6 March 1995

**I6** Submission of C Whitiri, 6 March 1995

**I7** Submission of J Daymond, 6 March 1995

**I8** Submission of B Tamati, 6 March 1995

**I9** Submission of G Goomes, 6 March 1995

**I10** Submission of G Remi, 7 March 1995

**I11** Submission of E Tamati, 7 March 1995

**I12** Submission of A Hough, 7 March 1995

**I13** Submission of E Dix, 7 March 1995

**I14** Submission of J Thomas, 7 March 1995

**I15** Submission of S Thomas, 7 March 1995

**J DOCUMENTS RECEIVED PRIOR TO END OF NINTH HEARING**

**J1** M Solomon, papers cited in S Thomas, 8 March 1995

- J2** D Loveridge, Chathams annexation, 24 March 1995  
(a) Supporting documents to document J2  
(b) †Map of letters, patent and other official boundaries  
(c) Extract from Brierly's *Law of Nations*
- J3** Maui Solomon, questions for D Sutton
- J4** Dean Cowie, historical report on hospital block, 27 March 1995
- J5** Donald Loveridge on Auckland Islands, 27 March 1995
- J6** Richard Boast, Ngati Mutunga and Chathams, 27 March 1995
- J7** David Armstrong, Crown and Chathams, 1900–80, 27 March 1995  
(a) Supporting documents to document J7  
(b) Supporting documents to document J7  
(c) Supporting documents to document J7  
(d) Summary of document J7
- J8** Submission of J Pohio, 11 April 1995
- J9** Submission of H Daymond, 11 April 1995
- J10** Submission of R G Hough, 12 April 1995
- K DOCUMENTS RECEIVED PRIOR TO END OF TENTH HEARING**
- K1** D Sutton, answers to Solomon, 6 April 1995
- K2** Department of Survey and Land Information, 1938 report on Te Whaanga, 11 April 1995
- K3** D Sutton, answers to Tribunal's questions, 23 April 1995
- K4** Submission of C Preece, 10 May 1995  
(a) Appendices to document K4

- K5** Submission of CSolomon, 10 May 1995
- K6** MGoodal, Ngai Tahu position on Auckland Islands, 25 May 1995
- K7** Runanga hui of 30 April 1995 on tribal mandate
- K8** Connor concerning Maruiwi myth and its origins, 1 June 1995
- K9** SThomas, further evidence, 14 June 1995
- K10** GWilliams, historical report on Te Whaanga, June 1995
- (a) Dominion Lab report, 7 March 38
  - (b) W Davis, letter concerning Te Whaanga
  - (c) CIC annual plan, 1995–96
- K11** Te Runanga o Wharekauri Rekohu Incorporated, further whakapapa evidence
- K12** Wai 65 claimant counsel, response on Aucklands Islands, 10 August 1995
- K13** Grant Phillipson, documents and commentary concerning 10-owner rule, August 1995
- K14** Summary and background information
- K15** Tony Walzl, ‘The Native Land Court and the Chathams Islands, 1900–1955’
- (a)† Map showing Chatham Islands land tenure in 1898
  - (b)† Map showing Chatham Islands land tenure in 1915
  - (c)† Map showing Chatham Islands land tenure in 1936
  - (d)† Map showing Chatham Islands land tenure in 1955
  - (e) Summary
- K16** JJohnston, memorandum and supplementary closing submissions, 15 September 1995
- K17** Submission of J and HDaymond 30 October 1995

**K18** Letters from Te Puni Kokiri and New Zealand Lottery Grants Board to Crown, 21–24 June 1994

**L DOCUMENTS RECEIVED PRIOR TO END OF ELEVENTH HEARING**

**L1** Fergus Sinclair, Native Land Court on the Chatham Island, November 1995

(a) Summary of document L1, 14 November 1994

(b)† Map showing state of land tenure in 1878

(c)† Map showing state of land tenure in 1907

**L2** Te Runanga, further evidence in clarification of Whakapapa, 7 November 1995

**L3** Fergus Sinclair, 10-owner rule, November 1995

(a) Summary of document L3, 14 November 1995

**L4** Opening submissions of Crown counsel, 14 November 1995

**L5** Closing submissions of Crown counsel, 14 November 1995

**M DOCUMENTS RECEIVED PRIOR TO END OF TWELFTH HEARING**

**M1** Closing submission of B Gordon on conservation, 21 November 1995

(a) ‘Draft Declaration on the Rights of Indigenous Peoples’, 1993

(b) International conventions on protection of humanity and environment, 1993

**M2** Submissions of Wai 64 and 308 claimant counsel, 28 November 1995

(a) Letter from Moriori Tchakat Henu Association to Department of Conservation, 15 March 1995

(b) Newspaper clipping from Runanga

(c) Letter from Te Iwi Moriori Trust Board to Department of Conservation, 30 September 1995

(d) Vacant

(e) Protection of Movable Cultural Heritage Bill, 6 July 1995

- (f) Judgment of Justice Cooke, 22 August 1995
- (g) Convention for Protection of the Environment and Convention on Biological Diversity (extracts)
- (h) International obligations, public law, and the New Zealand Bill of Rights (extracts)
- (i) *Te Runanganui o Te Ika Whenua Inc Society v Attorney General*, 1994 (extracts)

**M3** Correspondence, contracts and policy development initiatives undertaken as part of funding agreements between Runanga and Te Puni Koriki, 28 November 1995

**M4** Closing submission of claimant counsel, 4 December 1995

**M5** Submission of B Solomon, 4 December 1995

#### **N DOCUMENTS RECEIVED PRIOR TO END OF THIRTEENTH HEARING**

**N1** Fergus Sinclair, 'Further Information on the Native Land Court', January 1996

**N2** Tony Walzl, 'Chatham Islands Maori Tribal History to 1870'

**N3** Tony Walzl, 'Response to Crown Evidence on the Land Court and the Chatham Islands'

(a) Helen Aikman, from Dr Thiercelin, 'Travels in Oceania, subtitle: Memoirs of a whaling ship doctor', University of Otago (extract)

(b) Helen Aikman, from W E Thomas RM to Minister of Native Affairs (extract)

**N4** Closing submission of Wai 65 claimant counsel concerning traditional matters

**N5** Closing submissions of Wai 65 claimant counsel, 8 February 1996

**O DOCUMENTS RECEIVED PRIOR TO END OF FOURTEENTH HEARING**

**O1** Closing submissions of Crown counsel (excepting material on Native Land Court)

(a) PNuttall and Professor JRitchie, 'Maori Participation in the Resource Management Act', July 1995

(b) *Minhinnick re Maioro Lands*, Maori Appellate Court, 1990/1

(c) *Joseph Pere re Awapuni Moana* Maori Appellate Court, 1993/6

(d) *Christchurch City Council v Canterbury Regional Council* Planning Tribunal, 71/94

(e) *Whakarewarewa Village Charitable Trust v Rotorua District Council* Planning Tribunal, w61/94

(f) *Te Runanga o Taumarere v Northland Regional Council* Planning Tribunal, A108/95

(g) *Fullers Cruises Northland Ltd v Bay of Islands Enterprises Ltd* unreported, 13 January 1992, Justice Baker, High Court, Whangarei CP1/92

**O2** Closing submissions of Wai 65 claimant counsel in reply to Crown, 14 March 1996

**O3** Closing submissions of Wai 65 claimant counsel in reply to Crown, 15 March 1996

**O4** Department of Conservation, *Draft Chatham Islands Conservation Management Strategy*, Wellington, Department of Conservation, April 1996

**P DOCUMENTS RECEIVED SUBSEQUENT TO CLOSURE**

**P1** Closing submissions of Crown counsel concerning Native Land Court, 3 September 1996

**P2** Newspaper articles on Chatham Island affairs, 1860s–1870s

**P3** Submission on behalf of Te Iwi Moriori Trust Board, 'Objection to Proposed Electoral Boundary Change', 23 April 1998

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